



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

William J. BAER et al.

Application No.: 09/220,293

75  
Group Art Unit: 2171

Confirmation No.: 3693

Examiner: J. Veillard

Filed: December 23, 1998

FOR: METHOD AND APPARATUS FOR CONFIGURABLE MAPPING BETWEEN DATA STORES AND DATA STRUCTURES AND A GENERALIZED CLIENT DATA MODEL USING HETEROGENOUS, SPECIALIZED STORAGE

**RESPONSE UNDER 37 C.F.R. §1.116**

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**BOX AF**

Assistant Commissioner for Patents  
Washington, DC 20231

SEP 28 2001

Technology Center 2100

Sir:

In response to the Office Action dated August 22, 2001, for which the Examiner set a three-month period for response, Applicants submit the following remarks.

Claims 1-31 are all the claims pending in the present application.

As a preliminary matter, the undersigned gratefully acknowledges the courtesies extended by the Examiner in the *Sept. (J.V.)* ~~August~~ 11, 2001 telephone interview on this matter.

Claims 10-31 are allowed. Claims 1-5 stand rejected under 35 U.S.C. §102(e) as being anticipated by Mullins (U.S. Patent 5,857,197). Claims 6-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mullins in view of Ludwig et al. (hereinafter Ludwig) (U.S. Patent 6,006,230). In the telephone interview, Applicants understood the Examiner to agree that the present application discloses and recites an asset management system with read-write

capability features, but construes “transferring data to a data store” in Mullins as “writing data to a data store”, the same meaning as “transferring data to a data store” in the present application, and continues to maintain Mullins teaches the read-write capability features. Applicants respectfully traverse these rejections, and request reconsideration and allowance of claims 1-9 in view of the following arguments.

The Examiner asserts that Mullins teaches transferring data to and from the data store. The Examiner refers to col. 4 lines 49-65 of Mullins’ specification. Applicants assert that Mullins’ transferring data is completely different from the present application’s transferring data to and from the data store.

Although Mullins describes an adapter that transfers “data” to and from the first adapter (Mullins at col. 4, lines 49-56), Mullins does not teach, as the Examiner asserts, the read-write capability features claimed in the present application. Mullins discloses a system and method for accessing a data store, i.e., just reading data from the data store, but not for writing data to the data store, as claimed in the present application.

In describing this system, Mullins states that the request 100 and the accompanying object 102 are passed from an application program to a first adapter 400. The first adapter 400 then extracts the object attributes 103 and the object name 104 from the object 102, and packs the object attributes 103 and the object name 104 as “data” 105, and communicates the “data” 105 and the request 100 to the second adapter 500 (Mullins at col. 7, lines 39-54). The second adapter 500 then searches a meta data map using the object name 104, and generates a command 303, using the object attributes 103, for accessing the data store 302 according to request 100 (Mullins at col. 7, lines 55-67). The second adapter 500 then executes command 303, obtains and processes the data store content 304, packs the obtained data store content 304 and the

execution status as data 115, and communicates the data 115 to the first adapter 400 (Mullins at col. 8, lines 1-26).

Although Mullins names what is communicated from the first adapter to the second adapter as “data”, it is virtually a command or a query. As a result, Applicants submit that the Mullins transfer of something to a client adapter – not to a data store – is in any event not “data” as described in the present application, and as such is dramatically distinguished from relational data, files, references to files from indexing engines, or any other combination of data types which are described in the present application (Specification, pg. 5, lines 9-10). It is unambiguously clear to one skilled in the art that nothing is written to Mullins’ data store 302 through the communication from the first adapter to the second adapter, and then to the data store 302. Furthermore, Mullins specifically states that the use of its technology provides “read only” data stores over the Internet (Mullins at col. 7, lines 64-66). As such, Mullins simply describes a read only system, but lacks disclosure of read-write capability features of the present invention.

For the Examiner to assert that Mullins teaches transferring data to and from the data store recited in the claims of the present application is to construe the word “data” in Mullins differently from the way in which it is disclosed in the present application and in Mullins, respectively. Consequently, Applicants respectfully disagree with the Examiner’s characterization of Mullins’ read-only system and method for accessing data stores as an asset management system with read-write capability feature of the present application.

Moreover, although “transferring the requested data store content from the first adapter” is mentioned in Mullins (Mullins at col. 4, lines 49-65), it is not described in any detail in Mullins’ specification, and moreover is contradicted by other discussion, for example, at the

bottom of column 7 of Mullins, which talks about a “read-only” data store. Therefore, Applicants submit that Mullins is not even enabling for the alleged teaching on which the Examiner relies.

Applicants therefore assert that the Mullins read-only system for accessing data stores does not anticipate or render obvious Applicants’ asset management system with read-write capability features, as specifically recited in the independent claims. Accordingly, independent claim 1, and its respective dependencies, are patentable.

The Examiner further rejects claims 6, 7, 8 and 9 under 35 U.S.C. §103(a) as being unpatentable over Mullins in view of Ludwig.

Applicants have demonstrated in the independent claim argument above that Mullins does not teach or suggest at least one feature that is recited in that claim. Applicants further assert that Ludwig does not supply any of Mullins’ deficiencies. Accordingly, claims 6-9 are patentable at least by virtue of their dependence on the patentable independent claim 1.

Thus, even if one skilled in the art were to combine the teachings of Mullins, with that taught by Ludwig, the resulting combination would not result in Applicants’ claimed invention (claims 6-9), and therefore these claims are patentable.

Applicants also provide the following additional comments concerning claim 6. In the Office Action, the Examiner asserts that Ludwig discloses that “at least one client adapter is identified by a unique identifier” (Ludwig at col. 7, lines 59-61). Applicants respectfully disagree.

Looking at the cited portions of Ludwig reveals that the “unique pointers or identifiers” relate to the actual storage location of each record in the database file. In other words, while

Ludwig discusses “unique pointer and identifiers,” these identifiers relate to the database storage location of a record (Ludwig at col. 7, lines 59-61).

In contrast to the Ludwig system, Applicants’ claim 6 specifically recites that each of the at least one client adapter is identified by a unique identifier. While Ludwig utilizes “unique pointer and identifiers” to identify the database storage location of a record, this technique is clearly distinguishable from Applicants’ use of a unique identifier to identify the at least one client adapter. In other words, Applicants utilize a “unique identifier” to provide identification of the at least one client adapter, whereas Ludwig utilizes “identifiers” to identify the actual storage location of each record in the database file.

Applicants therefore assert that Ludwig’s identification of a record storage location does not teach or render obvious the identification of “at least one client adapter” by a unique identifier, as recited in claim 6. Accordingly, claim 6 is patentable for these additional reasons.

Pursuant to the forgoing arguments, Applicants submit that independent claim 1 and its respective dependencies, are therefore patentable. Accordingly, reconsideration and allowance of the above claims is respectfully and earnestly requested.

The Examiner’s rejections having been overcome, Applicants submit that the subject application is in condition for allowance. The Examiner is respectfully requested to contact the undersigned at the telephone number listed below to discuss other changes deemed necessary. Application hereby petitions for any extension of time which may be required to maintain the

pendency of this case, and any required fee for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

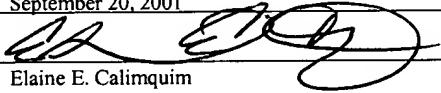
  
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Washington, D.C. 20231

Date: September 20, 2001

Signed: 

Elaine E. Calimquim